



CITY COUNCIL
ATLANTA, GEORGIA

05-O-0893

AN ORDINANCE BY COUNCIL MEMBER CLAIR MULLER
AS SUBSTITUTED BY FULL COUNCIL

AN ORDINANCE TO TRANSFER THE SIDEWALK REQUIREMENTS OF SECTION 15-09.003 OF THE CODE OF ORDINANCES FOR THE RESIDENTIAL SUBDIVISION SD-04-53 LOCATED AT 3100 RHONDENHAVEN DRIVE NW, TO THEN CONSTRUCT 307.2 LINEAR FEET OF 5' FOOT SIDEWALK ALONG THE SOUTH SIDE OF PEACHTREE BATTLE AVENUE, THAT SECTION BETWEEN HOWELL MILL ROAD AND WOODWARD WAY; AND FOR OTHER PURPOSES.

WHEREAS, pursuant to the application of Kevin Mendendrop of Image Homes, Inc. for the Subdivision SD-04-53 located at 3100 Rhondenhaven Drive, NW, the developer is required to comply with the provisions of Section 15-09.003 of the Code of Ordinances to provide sidewalks; and

WHEREAS, the construction of sidewalks along the frontage of 3100 Rhondenhaven Drive, NW would adversely affect the appearance and character of the neighborhood due to the lack of existing sidewalks along Rhondenhaven Drive, NW; and

WHEREAS, the intersection of Peachtree Battle and Howell Mill Road is not only heavily trafficked with vehicles but also by joggers, walkers, and mothers with baby strollers; and

WHEREAS, residents living along Peachtree Battle and other streets near Atlanta Memorial Park utilize the portion of Peachtree Battle between Howell Mill Road and Woodward Way as part of their walking or running course around and near the park; and

WHEREAS, because of eminent safety concerns on Peachtree Battle Avenue, sidewalks particularly along the south side between Howell Mill and Woodward Way, are an immediate priority; therefore, in lieu of sidewalks for 3100 Rhondenhaven Drive, NW these sidewalks should be constructed along that segment of Peachtree Battle Avenue.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1: That the requirements of Section 15-09.003 of the Code of Ordinances are hereby transferred for the construction of 307.2 linear feet of 5' sidewalk that would have been constructed for SD-04-53 at 3100 Rhondenhaven Drive, NW

SECTION 2: That all other requirements of the Code of Ordinances for the 3100 Rhondenhaven Drive Subdivision shall remain in full force and effect.

SECTION 3: That all ordinances and parts of ordinances in conflict herewith be and are hereby waived.

A true copy,
Phanda Daughlin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

June 6, 2005

June 15, 2005

RCS# 6723
6/06/05
3:13 PM

Atlanta City Council

Regular Session

05-O-0893

TRANSFER SIDEWALK REQUIREMENTS LOCATED
3100 RHODENHAVEN DR SIDEWALK CONSTRUCTION
ADOPT ON SUB

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	NV Mitchell
Y Starnes	NV Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	B Sheperd	NV Borders

05-O-0893

#4

05-0-0893
(Do Not Write Above This Line)

AN ORDINANCE

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ADOPTED BY

JUN 06 2005

SUBSTITUTE COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 5/16/05
Referred To: City Utilities
Date Referred
Referred To:
Date Referred
Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

Committee
Date 2005
Chair
Action
Fav, Adv, Hold (see rev. side)
Other

Members
Refer To

Members
Refer To

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

Committee

Date

Chair

Action

Fav, Adv, Hold (see rev. side)

Other

Members

Refer To

FINAL COUNCIL ACTION
☒ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

JUN 06 2005

Removed from consent
by Muller 6-6-05

CERTIFIED
JUN 06 2005
Frank Hagler
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED

JUN 15 2005

WITHOUT SIGNATURE
BY OPERATION OF LAW